UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

RALPH TAYLOR,   )
)
                Petitioner,   )
)
        v.   )   No. 2:17-cv-00581-WTL-MJD
)
JEFFREY E. KRUEGER Warden,   )
)
                Respondent.   )

Entry Dismissing Petition and Directing Entry of Final Judgment

"Federal courts are authorized to dismiss summarily any habeas petition that appears

legally insufficient on its face." *McFarland v. Scott*, 512 U.S. 849, 856 (1994); Rules 1(b) and 4

of the *Rules Governing Section 2254 Cases in the United States District Courts*.

Petitioner Ralph Taylor was convicted of conspiracy to distribute cocaine, money

laundering, conspiracy to commit money laundering, and engaging in unlawful monetary

transactions, in 1998 in this District. *United States v. Taylor,* 1:96-cr-0132-LJM-KPF-1. He was

sentenced to 30 years imprisonment, 10 years of supervised release, and a fine of $25,000. His

convictions were affirmed on direct appeal in *United States v. Taylor,* 196 F.3d 854 (7th Cir.

1999), *cert. denied,* 529 U.S. 1081 (2000).

He brings this action seeking relief pursuant to 28 U.S.C. § 2241. A § 2241 petition by a

federal prisoner is generally limited to challenges to the execution, not the validity, of the

sentence. *Valona v. United States,* 138 F.3d 693, 694 (7th Cir. 1998). In his habeas petition, Mr.

Taylor contends that his custodian is violating his constitutional rights by periodically collecting

payments toward his fine which he alleges has already been paid in full. He alleges that "the

issue associated herewith has already been conclusively resolved with entry of the final judgment

on file with this Court as docket entry no. 1 in case no. 1:17-mc-0065-SEB-DML, i.e. *res judicata*." Dkt. No. 1, p. 3. He further alleges that "[t]he filing of this foreign judgment into this Court makes it legally equivalent to a judgment rendered from this Court itself, and by its timing, supersedes any previous judgment this Respondent is relying upon to impose the collection of this satisfied fine." Dkt. No. 1, p. 6. The judgment to which the petitioner refers was issued by the United States District Court of Nevada in *Bailey v. William Oscar Harris, et al.*, 2:15-cv-02279-JAD-GWF (D. Nev. June 21, 2017) ("Nevada Judgment").

Mr. Taylor alleges that the Nevada Judgment states "all of the outstanding Federal obligations due to the United States, by Ralph Taylor…emanating from case no. 1:96-cr-0132-LJM-KPF…have been satisfied and discharged of record." Dkt. No. 1, p. 7. He requests that this Court order his custodian to cease and desist the collection of money toward his fine.

The Court is cognizant of the fact that Mr. Taylor signed his habeas petition under penalty of perjury. Mr. Taylor's claim, however, is erroneous with regard to the content and the legal effect of the Nevada Judgment. Contrary to his assertion that the Nevada Judgment refers to Mr. Taylor's criminal fine that was assessed in this District, the Nevada Judgment merely states that "[t]his action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered." 2:15-cv-2279-JAD-GWF. The Court takes judicial notice of the Nevada decision and notes that the civil case filed by a Viana B. Bailey was dismissed because "there does not appear to be an actual dispute between real parties. *Id.*, Dkt. No. 23. Nothing in that court's decision discussed nor has any bearing on Mr. Taylor's $25,000 criminal fine. To allege that the Nevada Judgment, in fact, determines as a matter of law that his fine has been paid is nothing short of preposterous.

The petitioner's motion to recognize previous judicial determinations, res judicata, 28 USC 1963, Dkt. No. 2, is **denied as frivolous.**

This action is dismissed with prejudice as meritless. Judgment consistent with this action shall now issue.

Date: 1/16/18

William T Lawrence

Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana

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